

**TOWN OF BUCKEYE**  
**REGULAR COUNCIL MEETING**

**FEBRUARY 1, 2005**

**AGENDA**

**Town Council Chambers**  
**100 N. Apache Road**  
**Buckeye, AZ 85326**  
**7:00 p.m.**

*Accessibility for all persons with disabilities will be provided upon request. Please telephone your accommodation request (623 326-6673) 72 hours in advance if you need a sign language interpreter or alternate materials for a visual or hearing impairment. (TDD 623 386-4421)*

---

*Members of the Town Council will either attend in person or by telephone conference call or video presentation. Items listed may be considered by the Council in any order.*

**1. Call to Order/Pledge of Allegiance/Roll Call.**

*Council Action: None.*

**2. Comments from the Public – Members of the audience may comment on any item of interest.**

*Council Action: Open Meeting Law does not permit Council discussion of items not specifically on the agenda.*

**Approval of items on the Consent Agenda – All items with an (\*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council. There will be no separate discussion of these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.**

**CONSENT AGENDA**

**\*3. Council to consider approval of the minutes of the January 18, 2005 regular Council meeting.**

**\*4. Council to consider invoices due by the Town for payment. Copies of invoices are available at Town Hall.**

**5. New Business**

**\*5A. Council to consider a request from Buckeye Congregation of Jehovah's Witness for a waiver of fees for the use of the Community Center on March 24, 2005.**

**\*5B. Council to consider and if advisable approve the amended and restated Type 2 Water Right Sublease Agreement with Stardust-Tartesso W-12 Inc. and read by title only.**

**\*5C. Council to consider and if advisable approve the Final Pay application in the amount of \$17,234.03 inclusive of Change Orders in the amount of \$10,934.03 to Wilson Concrete for work at the Skate Park.**

**\*5D. Council to consider and if advisable approve the funding of the appraisal for the parcels known as the "Stander Property" to Wardrop Real Estate Group in an amount not to exceed \$11,500.**

*Council Action: Motion to approve Items \*3, \*4, \*5A, \*5B, \*5C, and \*5D.*

**5E. Mr. Milton Brooks has requested to address the Council regarding Business License fees.**

*Council Action: Discussion and possible staff direction.*

**5F. Council to consider and if advisable approving utilizing \$13,000 the Revitalization Fund for the purpose of having a market analysis conducted for the downtown area. An additional \$13,000 would come from State Fund Grant for a total of \$26,000.**

*Council Action: Discussion and possible action.*

**5G. Council to consider and if advisable approve utilizing \$45,000 from the Revitalization Fund for the purpose of acquiring land, which will be used to relocate the Raney house into downtown Buckeye. An additional \$15,000 would come from State Grant Funds for a total of \$60,000.**

*Council Action: Discussion and possible action.*

**5H. Council to consider and if advisable adopt Ordinance 09-05 increasing the corporate limits of the Town of Buckeye, Arizona. Request by Leroy Thatcher of approximately one acre.**

**THATCHER A04-23**

*Council Action: Discussion and possible action.*

**5I. Council to consider and if advisable adopt Ordinance 10-05 increasing the corporate limits of the Town of Buckeye, Arizona. Request by Kevin Whitnack, Cowley Companies of approximately 125 acres. COWLEY A04-24**

*Council Action: Discussion and possible action.*

**5J. Council to consider and if advisable adopt Ordinance 11-05 amending the Land Use District Map of the Town in that area generally located at the southeast corner of I-10 and Wilson Road from R-43, Maricopa County, to 30 acres Commercial Center, 19 acres General Commerce and 76 acres Planned Community. Request by Kevin Whitnack, Cowley Companies of approximately 125 acres.**

**COWLEY RZ04-373**

*Council Action: Discussion and possible action.*

**5K. Council to consider and if advisable adopt Ordinance 12-05 approving both a Development Agreement and the Community Master Plan for the development of Silver Rock, a Master Plan Community by Newport Development on approximately 1,241 acres of land located in portions of Sections 21, 22, 27 and 28 of Township 1 North, Range 2 West of the Gila and Salt River Base and Meridian, authorizing and directing the Mayor to sign the Development Agreement on behalf of the Town and read by title only. Requested by Matt Montgomery of Newport Development on behalf of the Newport Group Management Company L.L.C. SILVER ROCK CMP03-434**

*Council Action: Discussion and possible action.*

**5L. Council to consider and if advisable adopt Ordinance 13-05 amending the Land Use District Map of the Town in that area generally located north and east of the intersection of Broadway Road and Apache Road from the Planned Residential to the Commercial Center Land Use District and read by title only. Site consists of approximately 12 acres and is being requested by Fer Properties. FER RZ04-362**

*Council Action: Discussion and possible action.*

**5M. Council to consider and if advisable adopt Resolution 10-05 approving the Final Plat of a subdivision to be known as "Miller Manor, Phases 1, 2, and 3" located northeast from the intersection of Miller Road and Southern Avenue and also located generally within Section 29, Township 1 South, Range 3 West of the Gila and Salt River Base and Meridian. Request by Manhard Consulting on behalf of Southwestern Investment Group L.L.C. MILLER MANNOR FP01-65**

*Council Action: Discussion and possible action.*

**5N. Council to consider and if advisable adopt Ordinance 14-05 approving an amendment to the Community Master Plan for the Development known as Tartesso West and read by title only.**

**Request by Bob Speirs of Stardust Development of the addition of two parcels, totaling approximately 272 acres and subsequent land uses. TARTESSO WEST CMPA03-148**

**5O. Council to consider and if advisable adopt Ordinance 15-05 approving both a Development Agreement and the Community Master Plan for the Development of Westwind, a Master Planned Community by Cavalier Properties, L.L.C. on approximately 807 acres of land located in portions of Sections 15, 16, 21 and 22 of Township 1 North, Range 2 West of the Gila and Salt River Base and Meridian and authorizing and directing the Mayor to sign the Development Agreement on behalf of the Town and read by title only. WESTWIND CMP03-110**

*Council Action: Discussion and possible action.*

**5P. Council to consider and if advisable adopt Ordinance 16-05 adopting new Development Impact Fees for Water, Sewer, Streets, Police, Fire and Emergency Medical Services, General Government, Parks and Recreation, and Library for the Town of Buckeye, and read by title only.**

*Council Action: Discussion and possible action.*

**5Q. Council to consider and if advisable adopt Ordinance 17-05 amending the Town Code Section 3-4-1 Relating to Purchasing increasing the purchase or contract for services from \$5,000 to \$10,000 and read by title only.**

*Council Action: Discussion and possible action.*

**5R. Council to consider and if advisable approve an Amendment to Facility Use Contract between Buckeye Elementary School District No. 33 and the Town of Buckeye.**

*Council Action: Discussion and possible action.*

**5S. Council to consider and if advisable award a non-exclusive license agreement and leasing agreement with BWSS Contracting Inc. dba The Trade Mark Group to provide fuel at the Airport and to authorize the Town Manager to sign such agreement.**

*Council Action: Discussion and possible action.*

**5T. Council to consider and if advisable approve the expenditure of \$449,093.58 from impact fees for the purchase of new Fire apparatus to replace old apparatus.**

*Council Action: Discussion and possible action.*

**5U. Council to consider and if advisable approve an agreement between the Town and Arizona Public Service for the purchase of streetlight facilities and, if the agreement is approved, will authorize the Mayor to execute same and to take, along with the appropriate Town officials, all actions necessary to effectuate the agreement.**

*Council Action: Discussion and possible action.*

**5V. Council to consider and if advisable approve an agreement between the Town and Arizona Public Service for a streetlight pole use license agreement and , if the agreement is approved, will authorize the Mayor to execute same and to take, along with the appropriate Town officials, all actions necessary to effectuate the agreement.**

*Council Action: Discussion and possible action.*

**5W. Council to consider and if advisable approve an agreement between the Town and Arizona Public Service ("APS") for APS to provide energy for streetlight facilities and, if the agreement is approved, will authorize the Mayor to execute same and to take, along with appropriate Town officials, all actions necessary to effectuate the agreement.**

*Council Action: Discussion and possible action.*

**5X. Council to consider and if advisable approve an agreement between the Town and Arizona Public Service for construction and maintenance of streetlight facilities and, if the agreement is approved, will authorize the Mayor to execute same and to take, along with the appropriate Town officials, all actions necessary to effectuate the agreement.**

*Council Action: Discussion and possible action.*

**5Y. Council to consider a petition received relative to the formation of the Elianto Community Facilities District and, if deemed advisable, to adopt Resolution 11-05 forming such District and entering into a Development, Financing Participation and Intergovernmental Agreement No. 1 with such District, and read by title only.**

*Council Action: Discussion and possible action.*

**6. Town Manager's Report.** – The Manager may provide a brief summary of current events; however, there can be discussion on the following matters:

*Manager's update on Council related matters.*

*Update of Legislative issues.*

**7. Comments from the Mayor and Council** –Mayor and Council may present a brief summary on current events. The Council may not propose, discuss, deliberate, or take any legal action of information presented. Council may direct inquiries to staff.

**8. Adjournment.**

*Council Action: Motion to adjourn.*

*Posted January 27, 2005*